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**Publish date:**  
**1/2/2013**

**WQC number: 892-0115-WQC-1**

## Public Notice

**Closing Date:**  
**1/31/2013**

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This letter serves as the formal notice of the receipt of an application for a Section 401 Water Quality Certification by the Kentucky Division of Mine Permits (KDMP). The purpose of this notice is to inform the public of active applications awaiting certification under Section 401 of the Clean Water Act (33 U.S.C. § 1341) and to solicit comments and information on any impacts to water quality as it related to the specific project. DMP will evaluate whether the project complies with Kentucky's water quality standards.

The comment period will run for 30 days, as is indicated in the upper portion of this notice. Any person who wishes to comment or receive information pertaining to the pending WQC application, must contact the WQC coordinator at 502 564-2320, or submit comments to: Water Quality Certification 2 Hudson Hollow, Frankfort KY 40601, within the 30 day comment period. All comments will be reviewed and water quality issues will be considered during the review process.

The public may review the detailed Compensatory Mitigation Plan at the Division of Mine Permits office at: #2 Hudson Hollow Frankfort, KY 40601

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**Commonwealth of Kentucky  
Department for Natural Resources  
Division of Mine Permits**

892-0115  
401  
100  
US6-1  
# 401 application

**Application for Water Quality Certification for Surface Coal Mining Activities**

The Clean Water Act Section 401 Water Quality Certification (WQC) program in Kentucky ensures that activities which may involve a discharge into waters of the Commonwealth which require federal permit or license are consistent with Kentucky's water quality standards in 401 KAR Chapter 5. The Environmental and Public Protection Cabinet has authorized the Department for Natural Resources to issue water quality certifications related to surface coal mining operations. The project may not start until all necessary approvals are obtained. For questions concerning the WQC process, contact the WQC Coordinator at (502)-564-2320.

1. **Applicant Name:** Armstrong Coal Company  
**Mailing Address:** 407 Brown Road  
Madisonville, KY 42431  
**Contact Person:** David Cobb, P.E.  
**Telephone No:** (270) 821-0987  
**E Mail Address:** dcobb@armstrongcoal.com

2. **Consultant Name & Address:** Keith Crim, T.H.E. Engineers, Inc.  
2331 Fortune Drive, Suite 295, Lexington, KY 40509

**Telephone No.** (859) 263-0009  
**E Mail Address:** keith@theengrs.com

3. **Provide a brief description of the proposed activity and stream impact.**  
Develop a 1142-acre surface mining operation in Ohio County, south of Centertown, west of US62 along KY1903. The project will impact 200' of perennial, 22045' of intermittent, and 47752' of ephemeral stream. Two stream impacts occur in watersheds greater than 480 acres. There will also be impacts to a total of 17.157 acres of wetlands and 0.375 acres of other waters (ponds).

4. **Project Location Information:**

**County** Ohio; **USGS Quadrangle Name** Central City East, Paradise & Equality

**Nearest Community & Road Intersection:** Rockport, KY1903/US62

**Latitude** N37-21-48 **Longitude** W87-00-39 (Approximate center of the project area)

5. **List the names of all streams affected by the proposed project:** Lewis Creek, West Fork Lewis Creek, Green River, and unnamed tributaries.

6. **For each affected watershed provide the acreage above the toe of the lowest permanent structure.**

Drainage areas for stream impacts are noted in the attached "Stream Habitat Assessment and Wetland Delineation Report". The largest watershed affected by an impact is approximately 6120 acres in size (haul road bridge crossing).

7. **For each affected stream provide the linear feet of impact, whether the impact is temporary or permanent and indicate if the stream reach is classified as ephemeral, intermittent, or perennial.**

A list of each stream and its proposed impact is noted in the "Summary of Impacts Table" in the IP Application. In summary, there are impacts to 200' of perennial, 22045' of intermittent, and 47752' of ephemeral stream.

8. **Provide the acreage of wetlands that would be impacted:** 17.157 acres (total)

9. **Beginning at the nearest intersection of two public roads, provide directions to the project site:**

From the KY1903/US62 intersection near Rockport, travel 1.0 miles northwest on KY1903 (immediately past a bridge over Lewis Creek). Beginning at this point, the site lies on both side of KY1903, and continues for another 2.1 miles on both sides of the roadway.

10. **Has application been submitted to the U.S. Army Corps of Engineers for this project? Yes X No \_\_\_\_.** If yes, indicate type of application:

NW 12 \_\_\_\_ NW 14 \_\_\_\_ NW 21 \_\_\_\_ NW 27 \_\_\_\_ NW 49 \_\_\_\_  
NW 50 \_\_\_\_ Individual X Other \_\_\_\_

11. **Provide the following permit numbers associated with this mining activity:**  
SMCRA Permit No. 892-0115, KPDES No. \_\_\_\_

12. **The following attachments must be provided:**

- a. IP Application, including Proposed Stream and Wetland Mitigation, "Macroinvertebrate & Fish Bioassessment Report", and "Threatened and Endangered Species Assessment"
- b. A watershed map showing all ponds and wetlands to scale, with all intermittent, and ephemeral stream reaches clearly identified.
- c. A 7.5 minute topographic map delineating the proposed project area.

**List all other plans and profiles included with this application:**

"Stream Habitat Assessment and Wetland Delineation Report", stream mitigation plans.

I hereby request approval for construction across or along a stream as described in this application and supporting attachments. All of the information provided with this application is true and accurate to the best of my belief and knowledge.

Applicant's Signature:



, Date: 11/28/2012

If signed by applicant's agent, attach power of attorney

**SUBMIT APPLICATION AND ATTACHMENTS TO:**

**WQC COORDINATOR  
DIVISION OF MINE PERMITS  
#2 HUDSON HOLLOW  
FRANKFORT, KENTUCKY 40601**